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*Counsel for Richard Arrowsmith, Liquidating
Trustee of the HDL Liquidating Trust*

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

In re:

**HEALTH DIAGNOSTIC LABORATORY,
INC., *et al.*,**

Debtors.¹

Chapter 11

Case No.: 15-32919-KRH

Jointly Administered

**PROPOSED AGENDA FOR HEARINGS SCHEDULED FOR
OCTOBER 31, 2023 AT 11:00 A.M. (PREVAILING EASTERN TIME)**

I. STATUS UPDATES

1. Richard Arrowsmith as Liquidating Trustee of the HDL Liquidating Trust v. LaTonya S. Mallory, *et al.*, Adversary Proceeding Case No. 16-03271 (the “**D&O Action**”) and related matters.

2. In re Blue Eagle Farming, LLC, *et al.*, Case No. 18-02395-TOM11 (Bankr. N.D. Ala.) (the “**Johnson Bankruptcy Proceeding**”) and related matters.

¹ The Debtors in these cases, along with the last four digits of each Debtor’s federal tax identification number, are: Health Diagnostic Laboratory, Inc. (0119), Central Medical Laboratory, LLC (2728), and Integrated Health Leaders, LLC (2434).

II. MATTERS IN LEAD CASE

3. In re Health Diagnostic Laboratory, Inc., Case No. 15-32919-KRH – Motion to Extend the Term of the HDL Liquidating Trust [Docket Item No. 5778] and Notice thereof [Docket Item No. 5779]

Related Documents:

(a) Certificate of Service [Docket Item No. 5780]

Response:

None.

Status:

The Response Deadline expired with no objections being filed or received; an order granting the requested relief has been submitted to the Court for entry. This matter is going forward to the extent the Court has any questions.

4. In re Health Diagnostic Laboratory, Inc., Case No. 15-32919-KRH – Motion to Extend Claims Objection Deadline [Docket Item No. 5776] and Notice thereof [Docket Item No. 5777].

Related Documents:

(a) Certificate of Service [Docket Item No. 5780]

Response:

None.

Status:

The Response Deadline expired with no objections being filed or received; an order granting the requested relief has been submitted to the Court for entry. This matter is going forward to the extent the Court has any questions.

III. MATTERS GOING FORWARD IN RELATED ADVERSARY PROCEEDINGS

5. Richard Arrowsmith as Liquidating Trustee of the HDL Liquidating Trust v. Wolf Creek Baptist Church Building Corporation, Inc. d/b/a Wolf Creek Baptist Church - Adversary Proceeding Case No. 22-03079-KRH – Motion for Default Judgment, or In the Alternative, Summary Judgment [Docket No. 23] and Notice Thereof [Docket No. 24]

Related Documents:

- (a) Complaint [Docket No. 1]
- (b) Certificates of Service [Docket Nos. 4, 6, and 7]
- (c) Answer to Complaint [Docket No. 5]
- (d) Pre-Trial Discovery Scheduling Order [Docket No. 11]
- (e) Answer to Complaint – STRICKEN [Docket No. 15]
- (f) Order Granting Motion to Withdraw as Attorney [Docket No. 19]

Response:

None.

Status:

This matter is going forward. For the Court's information, counsel for the Liquidating Trustee received an email from the Stone Law Office, PLLC in Brandenburg, Kentucky on behalf of the Defendant on October 24, 2023 and responded that this matter would go forward as set forth herein. Counsel for the Liquidating Trustee will further respond with the filed Notice of Hearing and this Proposed Agenda.

IV. ADJOURNED MATTERS IN RELATED ADVERSARY PROCEEDINGS

6. Richard Arrowsmith as Liquidating Trustee of the HDL Liquidating Trust v. National Humane Society - Adversary Proceeding Case No. 22-03083-KRH – Motion for Entry of Default and Default Judgment [Docket No. 5] and Notice Thereof [Docket No. 6]

Related Documents:

- (a) Complaint [Docket No. 1]
- (b) Certificate of Service [Docket No. 4]

Response:

None.

Status:

The Liquidating Trustee has resolved this matter and requests that this matter be adjourned to the Omnibus Hearing scheduled for November 28, 2023 at 1:00 p.m. (Prevailing Eastern Time) to allow time to carry out the terms of the agreement.

7. Richard Arrowsmith as Liquidating Trustee of the HDL Liquidating Trust v. Floyd Calhoun Dent, III - Adversary Proceeding Case No. 22-03033– Motion for Summary Judgment and Memorandum in Support [Docket No. 9] and Notice thereof [Docket No. 10]

Related Documents:

(a) Motion for Authority to File Under Seal Exhibit G to the Motion for Summary Judgment [Docket No. 11]

(b) Notice of Motion to Seal [Docket No. 12]

(c) Reply Memorandum in Support of Motion for Summary Judgment filed by the Liquidating Trustee [Docket No. 15]

Response:

(a) Objection of Defendant Floyd Calhoun Dent, III to the Liquidating Trustee’s Motion for Summary Judgment [Docket No. 14]

Status:

The Liquidating Trustee requests that this matter be adjourned to the Omnibus Hearing scheduled for November 28, 2023 at 1:00 p.m. (Prevailing Eastern Time).

V. GARNISHMENTS TO BE DISMISSED

8. Richard Arrowsmith as Liquidating Trustee of the HDL Liquidating Trust v. Liesa B. Harte - Adversary Proceeding Case No. 17-04045

8.1 Garnishment Summons re: Judgment against Liesa B. Harte [Docket Item No. 47] (the “**Harte Garnishment**”)

Related Documents:

(a) Suggestion for Summons in Garnishment to Wells Fargo Bank, National Association [Docket No. 46]

(b) Order Granting Default Judgment [Docket No. 13]

(c) Writ of Execution [Docket No. 48]

(d) Certificate of Service [Docket No. 51]

Response:

Well Fargo Bank filed an Answer [Docket No. 50] stating no accounts found.

Status:

The Liquidating Trustee requests that this matter be dismissed.

9. Richard Arrowsmith as Liquidating Trustee of the HDL Liquidating Trust v. Medical and Wellness center of Melrose Corporation, et al. - Adversary Proceeding Case No. 17-04105

9.1 Garnishment Summons re: Judgment against Ciraco Borroto [Docket Item No. 23] (the “**Borroto Garnishment**”)

Related Documents:

(a) Suggestion for Summons in Garnishment to SouthState Bank, National Association [Docket No. 22]

(b) Order Granting Default Judgment [Docket No. 12]

(c) Writ of Execution [Docket No. 24]

(d) Certificate of Service [Docket No. 26]

Response:

SouthState Bank filed an Answer [Docket No. 25] stating no records found.

Status:

The Liquidating Trustee requests that this matter be dismissed.

VI. ADJOURNED GARNISHMENTS

10. Richard Arrowsmith as Liquidating Trustee of the HDL Liquidating Trust v. Junaluska Internal Medicine, PC, et al. - Adversary Proceeding Case No. 17-03254

10.1 Garnishment Summons re: Judgment against Junaluska Internal Medicine, PC [Docket Item No. 88] (the “**Junaluska Garnishment**”)

Related Documents:

(a) Suggestion for Summons in Garnishment to U.S. Bank, National Association [Docket No. 87]

(b) Order Granting Default Judgment [Docket No. 13]

(c) Writ of Execution [Docket No. 89]

Response:

To date, an Answer has not yet been received from U.S. Bank.

Status:

The Liquidating Trustee requests that this matter be adjourned to the Omnibus Hearing scheduled for November 28, 2023 at 1:00 p.m. (Prevailing Eastern Time) to allow time for the Bank to issue an Answer.

10.2 Garnishment Summons re: Judgment against Rebecca Daniell [Docket Item No. 91] (the “**Daniell Garnishment**”)

Related Documents:

(a) Suggestion for Summons in Garnishment to U.S. Bank, National Association [Docket No. 90]

(b) Order Granting Default Judgment [Docket No. 13]

(c) Writ of Execution [Docket No. 92]

Response:

To date, an Answer has not yet been received from U.S. Bank.

Status:

The Liquidating Trustee requests that this matter be adjourned to the Omnibus Hearing scheduled for November 28, 2023 at 1:00 p.m. (Prevailing Eastern Time) to allow time for the Bank to issue an Answer.

11. Richard Arrowsmith as Liquidating Trustee of the HDL Liquidating Trust v. Uchenna Christopher Ogbuokiri - Adversary Proceeding Case No. 17-03762

11.1 Garnishment Summons re: Judgment against Uchenna Christopher Ogbuokiri [Docket Item No. 40] (the “**Ogbuokiri Garnishment**”)

Related Documents:

(a) Suggestion for Summons in Garnishment to Together Credit Union [Docket No. 39]

(b) Order Granting Default Judgment [Docket No. 13]

(c) Writ of Execution [Docket No. 41]

(d) Certificate of Service [Docket No. 43]

Response:

To date, an Answer has not yet been received from Together Credit Union.

Status:

The Liquidating Trustee requests that this matter be adjourned to the Omnibus Hearing scheduled for November 28, 2023 at 1:00 p.m. (Prevailing Eastern Time) to allow time for the Bank to issue an Answer.

12. Richard Arrowsmith as Liquidating Trustee of the HDL Liquidating Trust v. Thomas H. Kanegae, M.D, A Medical Corporation, et al. - Adversary Proceeding Case No. 17-03338

12.1 Garnishment Summons re: Judgment against Thomas H. Kanegae, A Medical Corporation [Docket Item No. 16] (the “**Kanegae MD Garnishment**”)

Related Documents:

(a) Suggestion for Summons in Garnishment to U.S. Bank National Association [Docket No. 15]

(b) Order Granting Default Judgment [Docket No. 9]

(c) Writ of Execution [Docket No. 17]

(d) Certificate of Service [Docket No. 20]

Response:

To date, an Answer has not yet been received from U.S. Bank.

Status:

The Liquidating Trustee requests that this matter be adjourned to the Omnibus Hearing scheduled for November 28, 2023 at 1:00 p.m. (Prevailing Eastern Time) to allow time for the Bank to issue an Answer.

12.2 Garnishment Summons re: Judgment against Thomas H. Kanegae [Docket Item No. 13] (the “**Kanegae Garnishment**”)

Related Documents:

(a) Suggestion for Summons in Garnishment to U.S. Bank National Association [Docket No. 12]

(b) Order Granting Default Judgment [Docket No. 9]

(c) Writ of Execution [Docket No. 14]

(d) Certificate of Service [Docket No. 19]

Response:

U.S. Bank filed an Answer [Docket No. 25] stating no accounts found.

Status:

The Liquidating Trustee requests that this matter be adjourned to the Omnibus Hearing scheduled for November 28, 2023 at 1:00 p.m. (Prevailing Eastern Time) to allow time for the Bank to issue an Answer as to the practice in the associated matter.

VII. ADJOURNED MATTERS IN LEAD CASE

13. Tenth Omnibus Objection to Certain (A) 502(d), (B) No Liability Claims, and (C) Unsupported Claim [Docket No. 5097] (the “**Tenth Omnibus Objection**”)

Related Documents:

(a) Notice of Motion and Hearing [Docket No. 5098]

Response Deadline: April 27, 2021 at 4:00 p.m. (Prevailing Eastern Time).

Status:

The Tenth Omnibus Objection was granted in accordance with the Order Sustaining Tenth Omnibus Objection as to the No Liability Claims [Docket No. 5180]. An Order has been submitted to the Court on the Unsupported Claim [Docket No. 5197]. The Liquidating Trustee requests that the hearing as to the 502(d) Claims be adjourned to the Omnibus Hearing scheduled for November 28, 2023 at 1:00 p.m. (Prevailing Eastern Time).

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Dated: October 27, 2023

Respectfully submitted,

/s/ Brittany B. Falabella

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